

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DUVAL JONES,)
AIS# 189486,)
Petitioner,)
VS.) CIVIL ACTION NO.
JERRY FERRELL,) 2:06-CV-720-WHA
et al,)
Respondents.)

**RESPONDENTS' ANSWER TO COURT'S
ORDER TO SHOW CAUSE**

Come now Respondents, by and through the Attorney General of the State of Alabama, and file their response to this Court's Order to Show Cause dated August 18, 2006, giving the Respondents 20 days in which to file a response to the Petition for Writ of Habeas Corpus filed by the Petitioner, Duval Jones. On September 7, 2006, this Court granted the Respondents an enlargement of 21 days in which to file its response. In response, Respondents file the following answer, memorandum brief, and exhibits.

PROCEDURAL HISTORY

1. On June 18, 2002, Jones pleaded guilty to second degree robbery and was sentenced to 30 years' imprisonment. Petition, p. 2-3; State's Exhibit A, p. 4. Jones did not directly appeal his conviction. *Id.*
2. Jones filed a petition for post-conviction relief pursuant to Rule 32 of the Alabama Rules of Criminal Procedure on November 25, 2003. State's Exhibit B, p. 2. The circuit court summarily denied Jones's petition on December 30, 2003, and denied his motion for an out-of-time appeal on July 1, 2004. *Id.* Jones filed two more Rule 32 petitions – one on February 2, 2005 which was denied on March 16, 2005, and another on October 31, 2005 which was dismissed on November 28, 2005. State's Exhibits C and D.

JONES'S FEDERAL HABEAS CLAIMS

4. On July 28, 2006, Jones filed a writ of habeas corpus petition raising the following claims:
 - (1) The Court was without subject matter jurisdiction because it improperly amended his indictment; and
 - (2) His trial counsel was ineffective.

Petition, p. 5.

5. On August 18, 2006, this Court entered an order requiring Respondents to show cause why Jones's habeas corpus petition should not be granted. On

September 7, 2006, this Court granted the Respondents an enlargement of 21 days, giving the Respondents until September 28, 2006 in which to respond.

ANSWER TO THE PETITION

6. Jones's federal habeas corpus petition is untimely under the one-year statute of limitation provision of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA).

7. Respondents admit Jones is presently incarcerated in a state facility resulting from his conviction for second degree robbery, but deny he is in custody in violation of the laws or constitution of the United States. Jones's convictions and sentences were validly and constitutionally obtained.

MEMORANDUM BRIEF IN SUPPORT OF ANSWER

8. Jones's petition is barred by the one-year statute of limitation set out by the AEDPA. According to **28 U.S.C.A. § 2244(d)**:

(1) A 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of--

(A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;

- (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such State action;
- (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

(2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Because Jones pleaded guilty on June 18, 2002, pursuant to Rule 4(b)(1) of the Alabama Rules of Appellate Procedure he had 42 days from that date (July 30, 2002) in which to directly appeal his conviction. Accordingly, he had one year from that date in which to file his federal habeas corpus petition. Although he filed his first Rule 32 petition on November 25, 2003, one year had already transpired and his time for filing his federal habeas corpus petition had lapsed pursuant to the AEDPA.

CONCLUSION

Based upon the foregoing authorities and facts, Jones's federal habeas corpus petition should be dismissed with prejudice.

Respectfully submitted,

Troy King (KIN047)
Attorney General
By:

s/John M. Porter
John M. Porter (ASB5818-P77J)
Assistant Attorney General

EXHIBITS

Exhibit A - Alacourt.com Case Action Summary sheet in Covington County Circuit Court CC-2002-0129.00 (Jones's guilty plea to second degree robbery).

Exhibit B - Alacourt.com Case Action Summary sheet in Covington County Circuit Court CC-2002-0129.60 (Jones's first Rule 32 petition).

Exhibit C - Alacourt.com Case Action Summary sheet in Covington County Circuit Court CC-2002-0129.61 (Jones's second Rule 32 petition).

Exhibit D - Alacourt.com Case Action Summary sheet in Covington County Circuit Court CC-2002-0129.62 (Jones's third Rule 32 petition).

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I hereby certify that I have mailed by United States Postal Service the document (including all exhibits) to the following non-CM/ECF participants: Duval Jones, AIS 189486, Fountain Correctional Facility, Fountain 3800, Atmore, AL 36503.

Respectfully submitted,

s/John M. Porter
John M. Porter(ASB5818-P77J)
Office of the Attorney General
Alabama State House
11 South Union
Montgomery, AL 36130-0152
Telephone: (334) 242-7300
Fax: (334) 242-2848
E-Mail: JPorter@ago.state.al.us

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Company Name: ATTORNEY GENERALS OFFICE

User ID: JIMPORTER

Last login Date: 9/20

County: 23 - COVINGTON

Case Number: CC-2002-000129.00

Name: JONES DUVAL

Charge: ROB1

Case

See Case Detail Record from Alacourt.com version 1

Case Information

County:	23 COVINGTON	Case N°:	CC-2002-000129.00	JID:	CHS CHARLES J
Filed:	02/28/2002	AAGCY:	C County	Muni N°:	00
Arrest date:	11/27/2001	Offe date:	11/23/2001	ORI:	0230000
Indict date:	02/15/2002	Grand jury:	158	Atty 1:	POW029-A
Tracking N°s:	DC200100238500/0/0				
Date:	06/24/2002	Que:	001	Time:	09:00 AM
				Desc:	JTRL JURY TRI.

Defendant Information

Name:	JONES DUVAL	Alias 1:			
DOB:	09/15/1978	SSN:	082-62-4299	Driv License N°:	
Height :	5'11"	Weight:	175	Race/Sex:	Black /M
SID:	AL0	YDate:		AIS:	
Address 1:	707 N MAIN STREET	Address 2:			
Zip:		City:	ENTERPRISE	State:	AL

Prosecutor and Attorney Info

Prosecutor:	LOG004	Name:	LOGGINS EUGENIA L	Prosecuto
Attorney 1:	POW029-A	Name:	POWELL A RILEY IV	Attorney 1
Attorney 2:		Name:		Attorney 2

Warrant Information

Warrant Date:	WARACT:
BP ISS:	WARLOC
	BP RTN:

Charges

1. Crime co:	ROB1	Statute:	ROBBERY 1ST	Stat Name:	13A-008-041
2. Crime co:		Statute:		Stat Name:	
3. Crime co:		Statute:		Stat Name:	
More:	N	Dom Viol:	N	Case Type:	F
Comment:					

Bonding Information

Bond amt:	525000.00	Bond type:	P Property	Bond co:
Rel date:		Sure:		CWIT:
Jury Demand:				Appeal Type

Settings

Disposition

Sentence

EXHIBIT

tables®

A

Enforcement**Consolidated Case Action Summary**

Consolidated Case Action Summary		
DATE	TIME	CODE COMMENTS
02/15/2002	16:35:55	TEXT INDICTMENT
02/15/2002	16:35:56	TEXT WARRANT OF ARREST - EXECUTED ON: 2/20/02
02/22/2002	16:35:55	TEXT ORDER ON INITIAL APPEARANCE
03/06/2002	08:26:00	TEXT AFFIDAVIT OF SUBSTANTIAL HARDSHIP AND ORDER
03/06/2002	08:26:01	TEXT APPOINTING RILEY POWELL
03/06/2002	08:55:43	TEXT PLEA OF NOT GUILTY AND WAIVER OF ARRAIGNMENT
03/06/2002	12:13:38	ATY1 ATTORNEY FOR DEFENDANT: POWELL A RILEY IV (AR10)
03/08/2002	16:25:41	TEXT MOTION FOR DISCOVERY
03/08/2002	16:25:42	TEXT NOTICE OF APPEARANCE
03/14/2002	08:47:43	PRTY PARTY ADDED W002 ELBA POLICE DEPT (AW21)
03/14/2002	08:47:44	ISSD PARTY W002 ISSUED DATE: 03132002 TYPE: SHERIFF
03/14/2002	08:55:26	TEXT MOTION FOR BOND REDUCTION
03/15/2002	07:50:31	TEXT MOTION TO QUASH SUBPOENA
03/18/2002	09:07:00	TEXT REQUEST FOR DISCOVERY
03/18/2002	11:34:00	TEXT DEFENDANT'S ANSWER TO STATE'S REQUEST
03/18/2002	11:34:01	TEXT FOR DISCOVERY
04/04/2002	09:32:00	TEXT ANSWER TO MOTION FOR DISCOVERY
04/04/2002	16:17:34	SERC SERVICE OF SERVED PERSON ON 03192002 FOR W002 (A
04/09/2002	16:08:32	TEXT MOTION IN LIMINE
06/07/2002	08:32:37	DAT1 SET FOR: JURY TRIAL ON 06/24/2002 AT 0900A (AR10)
06/07/2002	09:11:58	SERV PARTY W001 SERVED DATE: TYPE: (AW21)
06/07/2002	09:12:40	SUBP WITNESS SUBPOENA ISSUED TO W001 JAMES BEAMAN(AW21)
06/07/2002	09:13:03	PRTY PARTY ADDED W003 TIM STALLWORTH (AW21)
06/07/2002	09:13:21	PRTY PARTY ADDED W004 JAMES MACK (AW21)
06/07/2002	09:13:32	PRTY PARTY ADDED W005 BLAINE WILSON (AW21)
06/07/2002	09:13:53	PRTY PARTY ADDED W006 MICHAEL SMITH (AW21)
06/07/2002	09:14:20	PRTY PARTY ADDED W007 BRANDON LASSITER (AW21)
06/07/2002	09:29:10	PRTY PARTY ADDED W008 AL COSPER (AW21)
06/07/2002	09:29:46	PRTY PARTY ADDED W009 ANNA BALDWIN (AW21)
06/07/2002	09:30:23	PRTY PARTY ADDED W010 JOSHUA LEE CARLSON (AW21)
06/07/2002	09:30:54	PRTY PARTY ADDED W011 JOSHUA TUBERVILLE (AW21)
06/07/2002	09:31:29	PRTY PARTY ADDED W012 KRISTY JACKSON (AW21)
06/07/2002	09:31:51	PRTY PARTY ADDED W013 SHERRELL KERVIN (AW21)

06/07/2002 09:32:17 PRTY PARTY ADDED W014 BENNY LEE MAYNOR (AW21)
06/07/2002 09:32:49 PRTY PARTY ADDED W015 MATTHEW STALLWORTH (AW21)
06/07/2002 09:33:20 PRTY PARTY ADDED W016 MELISSA CAMPBELL (AW21)
06/07/2002 09:33:47 PRTY PARTY ADDED W017 PETE ROGERS (AW21)
06/07/2002 09:34:18 PRTY PARTY ADDED W018 SABRINA REED (AW21)
06/07/2002 10:04:49 SUBP WITNESS SUBPOENA ISSUED TO W001 JAMES BEAMAN(AW21)
06/07/2002 10:04:57 SUBP WITNESS SUBPOENA ISSUED TO W003 TIM STALLWORTH
06/07/2002 10:05:04 SUBP WITNESS SUBPOENA ISSUED TO W004 JAMES MACK (AW21)
06/07/2002 10:05:08 SUBP WITNESS SUBPOENA ISSUED TO W005 BLAINE WILSON
06/07/2002 10:05:12 SUBP WITNESS SUBPOENA ISSUED TO W006 MICHAEL SMITH
06/07/2002 10:05:17 SUBP WITNESS SUBPOENA ISSUED TO W007 BRANDON LASSITER
06/07/2002 10:05:21 SUBP WITNESS SUBPOENA ISSUED TO W008 AL COSPER (AW21)
06/07/2002 10:05:25 SUBP WITNESS SUBPOENA ISSUED TO W009 ANNA BALDWIN(AW21)
06/07/2002 10:05:30 SUBP WITNESS SUBPOENA ISSUED TO W010 JOSHUA LEE CARLSON
06/07/2002 10:05:34 SUBP WITNESS SUBPOENA ISSUED TO W011 JOSHUA TUBERVILLE
06/07/2002 10:05:38 SUBP WITNESS SUBPOENA ISSUED TO W012 KRISTY JACKSON
06/07/2002 10:05:42 SUBP WITNESS SUBPOENA ISSUED TO W013 SHERRELL KERVIN
06/07/2002 10:05:46 SUBP WITNESS SUBPOENA ISSUED TO W014 BENNY LEE MAYNOR
06/07/2002 10:05:51 SUBP WITNESS SUBPOENA ISSUED TO W015 MATTHEW STALLWORTH
06/07/2002 10:05:56 SUBP WITNESS SUBPOENA ISSUED TO W016 MELISSA CAMPBELL
06/07/2002 10:06:01 SUBP WITNESS SUBPOENA ISSUED TO W017 PETE ROGERS (AW21)
06/07/2002 10:06:06 SUBP WITNESS SUBPOENA ISSUED TO W018 SABRINA REED(AW21)
06/10/2002 13:57:28 TEXT ORDER SETTING SETTLEMENT CONFERENCE ON
06/10/2002 13:57:29 TEXT 6-17-02 AT 4:00 P.M.
06/10/2002 13:57:41 DAT2 SET FOR: SETTLEMENT DOCKET/ ON 06/17/2002 AT 0400P
06/12/2002 10:29:53 SERV PARTY W012 SERVED DATE: 06112002 TYPE: SERVED PER
06/13/2002 14:38:45 PRTY PARTY ADDED W019 DIANA SPIVEY (AW21)
06/13/2002 14:38:51 SUBP WITNESS SUBPOENA ISSUED TO W019 DIANA SPIVEY(AW21)
06/17/2002 09:24:00 TEXT ORDER; CONTINUED ON MOTION OF CO-DEFT ALEX
06/17/2002 09:24:01 TEXT DANIELS
06/18/2002 09:25:04 TEXT PLEA AGREEMENT
06/18/2002 09:25:05 TEXT EXPLANATION OF RIGHTS AND PLEA OF GUILTY
06/18/2002 09:25:06 TEXT SENTENCING ORDER
06/18/2002 09:25:07 TEXT ORDER; AMENDED TO INCLUDE HABITUAL FELONY
06/18/2002 09:25:08 TEXT OFFENDER ACT PROVISIONS
06/19/2002 10:47:45 SERV PARTY W003 SERVED DATE: 06112002 TYPE: SERVED PER
06/19/2002 10:47:53 SERV PARTY W001 SERVED DATE: 06112002 TYPE: SERVED PER

06/19/2002 10:48:03 SERV PARTY W015 SERVED DATE: 06112002 TYPE: SERVED PER
06/19/2002 10:48:15 SERV PARTY W011 SERVED DATE: 06122002 TYPE: SERVED PER
06/19/2002 10:48:25 SERV PARTY W004 SERVED DATE: 06162002 TYPE: NO SERVICE
06/19/2002 10:48:36 SERV PARTY W010 SERVED DATE: 06122002 TYPE: SERVED PER
06/19/2002 10:48:46 SERV PARTY W006 SERVED DATE: 06112002 TYPE: SERVED PER
06/19/2002 10:48:56 SERV PARTY W014 SERVED DATE: 06112002 TYPE: SERVED PER
06/19/2002 10:49:10 SERV PARTY W013 SERVED DATE: 06112002 TYPE: SERVED PER
06/20/2002 09:16:02 DJID DISPOSITION JUDGE ID CHANGED FROM: TO: CHS
06/20/2002 09:16:03 DISP CHARGE 01: ROBBERY 2ND/#CNTS: 001 (AR10)
06/20/2002 09:16:04 DISP CHARGE 01 DISPOSED BY: GUILTY PLEA ON: 06/18/2002
06/20/2002 09:16:43 CH01 DEFENDANT SENTENCED ON: 06/18/2002 (AR05)
06/20/2002 09:16:44 CH01 SENTENCE TO BEGIN ON: 06/18/2002 (AR05)
06/20/2002 09:16:45 CH01 IMPOSED CONFINEMENT: 30 YEARS (AR05)
06/20/2002 09:16:46 CH01 TOTAL CONFINEMENT: 30 YEARS (AR05)
06/20/2002 09:16:47 CH01 PENITENTIARY PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:17:18 CH01 COST PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:17:19 CH01 RECOUPMENT PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:17:20 CH01 R001 REST AMOUNT ORDERED: \$3127.21 (AR05)
06/20/2002 09:17:21 CH01 HISTORY FEE PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:17:22 CH01 CVCC PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:17:23 CH01 RESTITUTION FOR R001 ORDERED BY THE COURT (AR05)
06/20/2002 09:17:24 CH01 SUBPOENA FEE PROVISION ORDERED BY THE COURT (AR05)
06/20/2002 09:19:28 CH01 JAIL CREDIT: 203 DAYS (AR05)
06/20/2002 09:19:44 D001 ENFORCEMENT STATUS SET TO: "J" (FE52)
06/20/2002 09:21:36 PRTY PARTY ADDED R001 PIZZA HUT #2486 (AW21)
06/20/2002 09:23:37 TRSC TRANSCRIPT OF RECORD ISSUED: 06/20/2002 (AR08)
06/20/2002 09:23:54 CH01 HABITUAL OFFENDER PROVISION ORDERED BY THE COURT
06/20/2002 09:24:16 TRSC TRANSCRIPT OF RECORD ISSUED: 06/20/2002 (AR08)
06/20/2002 09:29:15 SERV PARTY W017 SERVED DATE: 06162002 TYPE: SERVED PER
06/20/2002 09:29:52 SERV PARTY W007 SERVED DATE: 06172002 TYPE: NO SERVICE
06/21/2002 09:36:26 SERV PARTY W018 SERVED DATE: 06182002 TYPE: SERVED PER
06/21/2002 09:36:45 SERV PARTY W008 SERVED DATE: 06182002 TYPE: SERVED PER
06/21/2002 09:38:09 SERV PARTY W009 SERVED DATE: 06182002 TYPE: SERVED PER
06/27/2002 16:13:18 SERV PARTY W019 SERVED DATE: 06202002 TYPE: SERVED PER
06/27/2002 16:14:02 SERV PARTY W016 SERVED DATE: 06202002 TYPE: NO SERVICE
07/01/2002 02:59:54 FELN CONVICTION REPORT TO BOARD OF REGISTRARS
07/29/2002 14:58:21 SERV PARTY W019 SERVED DATE: TYPE: (AW21)

07/29/2002 14:58:23 SUBP WITNESS SUBPOENA ISSUED TO W019 DIANA SPIVEY(AW21)
08/06/2002 11:37:50 SERV PARTY W019 SERVED DATE: 08062002 TYPE: NO SERVICE
08/16/2002 08:30:33 TEXT MOTION TO SUBSTITUTE-GRANTED 8-27-02
03/10/2003 14:14:17 TEXT PETITION FOR RELIEF FROM CONVICTION OR SENTENCE
03/17/2003 14:14:17 TEXT ORDER; SUCH REQUEST IS HEREBY DENIED.
09/20/2004 07:51:53 TEXT MOTION TO SET ASIDE THE SENTENCE/MOTION FOR
09/20/2004 07:51:54 TEXT RESENTENCING/MOTION TO CORRECT THE RECORD
09/21/2004 16:29:31 TEXT MOTION DENIED - 9/21/04
10/01/2004 10:44:03 TEXT MOTION PURSUANT TO RULE 24.2 ARREST OF JUDGMENT
10/14/2004 12:23:07 TEXT MOTION DATED 10/01/04 "DENIED" /CHS

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County: 23 - COVINGTON

Case Number: CC-2002-000129.60

NOTICE

Name: JONES DUVAL

Charge: RULE

Case

See Case Detail Record from Alacourt.com version 1

Case Information

County:	23 COVINGTON	Case N°:	CC-2002-000129.60	JID:	CHS CHARLES /
Filed:	11/25/2003	AAGCY:	C County	Muni N°:	00
Arrest date:		Offe date:		ORI:	0230000
Indict date:		Grand jury:		Atty 1:	
Tracking N°s:	0/0/0				
Date:		Que:		Time:	
					Desc:

Defendant Information

Name:	JONES DUVAL	Alias 1:			
DOB:	09/15/1978	SSN:	082-62-4299	Driv License N°:	
Height :	5'11"	Weight:	175	Race/Sex:	Black /M
SID:	AL0	YDate:		AIS:	
Address 1:	#189486/4-025/F.C.C.	Address 2:	FOUNTAIN 380		
Zip:	36503	City:	ATMORE	State:	AL

Prosecutor and Attorney Info

Prosecutor:	LOG004	Name:	LOGGINS EUGENIA L	Prosecuto
Attorney 1:		Name:		Attorney 1
Attorney 2:		Name:		Attorney 2

Warrant Information

Warrant Date:		WARACT:	
BP ISS:		WARLOC:	
		BP RTN:	

Charges

1. Crime co:	RULE	Statute:	RULE 32-FELONY	Stat Name:	RULE 32
2. Crime co:		Statute:		Stat Name:	
3. Crime co:		Statute:		Stat Name:	
More:	N	Dom Viol:	N	Case Type:	F
Comment:					

Bonding Information

Bond amt:	0.00	Bond type:	N	Bond co:	
Rel date:		Sure:		CWIT:	
Jury Demand:				Appeal Type:	

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Sentence

EXHIBIT

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Enforcement**Consolidated Case Action Summary****Consolidated Case Action Summary**

Date	Time	Code	Comments
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11/25/2003 14:03:46 TEXT ORDER WAIVING FILING FEE AND FOR FILING OF RULE 32

11/25/2003 14:03:47 TEXT PETITION

11/25/2003 14:03:48 TEXT PETITION FOR RELIEF FROM CONVICTION OR SENTENCE

11/25/2003 14:03:57 CASU CASE ACTION SUMMARY PRINTED (AR08)

12/18/2003 16:36:50 TEXT MOTION TO DISMISS RULE 32 PETITION

12/30/2003 14:25:53 TEXT ORDER DISMISSED; COSTS TAXED TO DEFENDANT

12/30/2003 14:26:00 DJID DISPOSITION JUDGE ID CHANGED FROM: TO: CHS

12/30/2003 14:26:01 DISP CHARGE 01: RULE 32-FELONY/#CNTS: 001 (AR10)

12/30/2003 14:26:02 DISP CHARGE 01 DISPOSED BY: DISMISSED ON: 12/30/2003

12/30/2003 14:26:03 D001 ENFORCEMENT STATUS SET TO: "N" (AR10)

12/30/2003 14:26:14 D001 ENFORCEMENT STATUS SET TO: "J" (FE52)

07/01/2004 14:44:45 TEXT MOTION FOR AN OUT-OF-TIME APPEAL OF RULE 32

07/01/2004 14:44:46 TEXT PETITION--DENIED

04/21/2005 10:49:17 TEXT PETITIONER MOTION REQUESTING RESPONSE SHOWING

04/21/2005 10:49:18 TEXT THIS HONORABLE COURT THAT THE RULING OF COPELAND

04/21/2005 10:49:19 TEXT V STATE APPLIES TO THIS CASE PRAYING FOR AN ORDER

04/21/2005 10:49:20 TEXT THAT THE INDICTMENT WOULD BE ORDER QUASHED RENDER

04/21/2005 10:49:21 TEXT PETITIONER PRESENT CONVICTION AND SENTENCE TO

04/21/2005 10:49:22 TEXT BE VACATED AND SET ASIDE--DENIED 4-25-05

04/21/2005 14:39:47 TEXT MOTION IN REQUEST FOR A HEARING TO BE ORDERED AND

04/21/2005 14:39:48 TEXT HAD PURSUANT TO BLAKELY V WASHINGTON--DENIED

04/21/2005 14:40:00 TEXT 4-25-05

Images

Key	Date	Pages	Document Type	Name	
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Witness List**Financial****Motions**



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Company Name: ATTORNEY GENERALS OFFICE

User ID: JIMPORTER

Last login Date: 9/20

County: 23 - COVINGTON

Control

Case Number: CC-2002-000129.61

NOTICE

Name: JONES DUVAL

Charge: RULE

Case

See Case Detail Record from Alacourt.com version 1

Case Information

County:	23 - COVINGTON	Case N°:	CC-2002-000129.61	JID:	CHS CHARLES /
Filed:	02/08/2005	AAGCY:	C County	Muni N°:	00
Arrest date:		Offe date:		ORI:	0230000
Indict date:		Grand jury:		Atty 1:	
Tracking N°s:	0/0/0				
Date:		Que:		Time:	

Defendant Information

Name:	JONES DUVAL	Alias 1:			
DOB:	09/15/1978	SSN:	082-62-4299	Driv License N°:	
Height :	5'11"	Weight:	175	Race/Sex:	Black /M
SID:	AL0	YDate:		AIS:	
Address 1:	#189486/4-025/F.C.C.	Address 2:	FOUNTAIN 380		
Zip:	36503	City:	ATMORE	State:	AL

Prosecutor and Attorney Info

Prosecutor:	GAM014	Name:	GAMBRIL GREGORY LEE	Prosecut
Attorney 1:		Name:		Attorney
Attorney 2:		Name:		Attorney

Warrant Information

Warrant Date:		WARACT:	
BP ISS:		WARLOC:	
		BP RTN:	

Charges

1. Crime co:	RULE	Statute:	RULE 32-FELONY	Stat Name:	RULE 32
2. Crime co:		Statute:		Stat Name:	
3. Crime co:		Statute:		Stat Name:	
More:	N	Dom Viol:	N	Case Type:	F
Comment:					

Bonding Information

Bond amt:	0.00	Bond type:	N	Bond co:	
Rel date:		Sure:		CWIT:	
Jury Demand:				Appeal Type	

Settings

Disposition

Sentence

EXHIBIT

tabbles®

Enforcement**Consolidated Case Action Summary****Consolidated Case Action Summary**

Date	Time	Code	Comments
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02/08/2005	10:13:56	TEXT	ORDER FOR FILING OF RULE 32 PETITION
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02/08/2005	10:13:57	TEXT	PETITION FOR RELIEF FROM CONVICTION OR SENTENCE
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03/09/2005	08:25:07	TEXT	MOTION TO DISMISS RULE 32 PETITION
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03/16/2005	08:24:32	TEXT	ORDER; DISMISSED; COSTS TAXED TO DEFENDANT
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03/17/2005	08:23:23	JFEL	JUROR FELONY FLAG SET ON FOR INDIVIDUAL (AR10)
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03/17/2005	08:23:24	DISP	CHARGE 01 DISPOSED BY: DISMISSED ON: 03/16/2005
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03/17/2005	08:23:25	DJID	DISPOSITION JUDGE ID CHANGED FROM: TO: CHS
------------	----------	------	--

03/17/2005	08:23:26	DISP	CHARGE 01: RULE 32-FELONY/#CNTS: 001 (AR10)
------------	----------	------	---

03/17/2005	08:23:27	D001	ENFORCEMENT STATUS SET TO: "N" (AR10)
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08/11/2006	08:33:34	TEXT	MOTION TO RECONSIDER SENTENCE--DENIED 8-16-06
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Company Name: ATTORNEY GENERALS OFFICE

User ID: JIMPORTER

Last login Date: 9/20

County: 23 - COVINGTON



Case Number: CC-2002-000129.62



Name: JONES DUVAL

Charge: RULE

Case

See Case Detail Record from Alacourt.com version 1

Case Information

County:	23 COVINGTON	Case No:	CC-2002-000129.62	JID:	CHS CHARLES /
Filed:	10/31/2005	AAGCY:	C County	Muni No:	00
Arrest date:		Offe date:		ORI:	0230000
Indict date:		Grand jury:		Atty 1:	
Tracking No's:	0/0/0				
Date:		Que:		Time:	
				Desc:	

Defendant Information

Name:	JONES DUVAL	Alias 1:			
DOB:	09/15/1978	SSN:	082-62-4299	Driv License No:	
Height :	5'11"	Weight:	175	Race/Sex:	Black /M
SID:	AL0	YDate:		AIS:	
Address 1:	#189486	Address 2:	FOUNTAIN 3801		
Zip:	36503	City:	ATMORE	State:	AL

Prosecutor and Attorney Info

Name:	GAMBRIL GREGORY LEE	Prosecut
Name:		Attorney
Name:		Attorney

Warrant Information

WARACT:		WARLOC:
BP RTN:		

Charges

1. Crime co:	RULE	Statute:	RULE 32-FELONY	Stat Name:	RULE 32
2. Crime co:		Statute:		Stat Name:	
3. Crime co:		Statute:		Stat Name:	
More:	N	Dom Viol:	N	Case Type:	F
Comment:					

Bonding Information

Bond amt:	0.00	Bond type:	N	Bond co:	
Rel date:		Sure:		CWIT:	
Jury Demand:				Appeal Type	

Settings

Disposition

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Enforcement

Consolidated Case Action Summary

Consolidated Case Action Summary

Date	Time	Code Comments
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10/31/2005 15:21:38 TEXT ORDER FOR FILING OF RULE 32 PETITION

10/31/2005 15:21:39 TEXT PETITION FOR RELIEF FROM CONVICTION OR SENTENCE

10/31/2005 15:21:40 TEXT INFORMA PAUPERIS DECLARATION

11/17/2005 14:23:37 TEXT MOTION TO DISMISS RULE 32 PETITION----

11/17/2005 14:23:38 TEXT GRANTED 11-28-05

11/28/2005 14:25:06 DJID DISPOSITION JUDGE ID CHANGED FROM: TO: CHS

11/28/2005 14:25:07 DISP CHARGE 01 DISPOSED BY: DISMISSED ON: 11/28/2005

11/28/2005 14:25:08 DISP CHARGE 01: RULE 32-FELONY/#CNTS: 001 (AR10)

11/30/2005 09:37:41 DISP CHARGE 01: RULE 32-FELONY/#CNTS: 001 (AR10)

11/30/2005 09:37:42 DISP CHARGE 01 DISPOSED BY: DISMISSED ON: 11/29/2005

Images

Key	Date	Pages	Document Type	Name
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